

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

DELTA LOCUM TENENS, LLC, §  
§  
PLAINTIFF, §  
§  
v. § CIVIL ACTION NO. 5:17-fj-00004-R  
§  
CIMARRON COUNTY HEALTH §  
AUTHORITY *d/b/a* CIMARRON §  
MEMORIAL HOSPITAL, §  
§  
DEFENDANT. §

**AFFIDAVIT OF JACOB B. KRING**

BEFORE ME, the undersigned authority, personally appeared Jacob B. Kring, who, after being duly sworn upon his oath, stated as follows:

1. My name is Jacob B. Kring. I am over the age of 18 years, and I have never been convicted of a crime. I am of sound mind and am otherwise competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am an attorney for Plaintiff Delta Locum Tenens, LLC (“Plaintiff”) in the above-captioned lawsuit, and I am a partner at the law firm Hedrick Kring, PLLC.

3. I have been engaged in the practice of law since 2008, and my practice focuses on commercial litigation.

4. My typical hourly rate is \$450.00 per hour. I have spent four (4) hours in connection with Plaintiff’s Motion to Compel Post-Judgment Discovery and for Attorneys’ Fees (the “Motion”). As part of the Motion, I have researched the applicable

law, drafted and revised the Motion, drafted this affidavit, drafted the proposed Order Granting Plaintiff's Motion to Compel Post-Judgment Discovery and for Attorneys' Fees, and attempted to confer with Defendant Cimarron County Health Authority *d/b/a* Cimarron Memorial Hospital.

5. Below is a table summarizing the time and hourly rates expended by myself working on this matter:

<u>Attorney</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Jacob B. Kring	4	\$450.00	\$1,800.00
<b>Total</b>	<b>4</b>		<b>\$1,800.00</b>

6. The fees sought are reasonable in light of the following factors: (1) the time and labor required; (2) the novelty and difficulty of the legal issues; (3) the skill required to perform the legal service properly; (4) the preclusion of other employment by the attorney as a result of taking the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or other circumstances; (8) the monetary amount involved and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) whether the case is undesirable; (11) the nature and duration of the professional relationship with the client; and (12) awards in similar cases. *See State ex rel. Burk v. Oklahoma City*, 589 P.2d 659, 661 (Okl. 1979).

7. Despite my opinion that the amount of \$1,800.00 is reasonable and necessary, I have adjusted downward to \$1,000.00 for the attorneys' fees sought in connection with the Motion in exercising my billing-discretion.

8. I am a licensed attorney practicing in the state of Texas and admitted *pro hac vice* in the above-referenced matter. I have tried cases to the court and the jury similar to this case. I am familiar with the costs and attorneys' fees incurred in matters such as this one. I have also reviewed the file in connection with this lawsuit.

9. In my opinion, the services rendered by Hedrick Kring, PLLC were reasonable and necessary in connection with the Motion in this matter. In coming to my opinion concerning attorneys' fees, I utilized the above factors to determine whether the attorneys' fees sought to be recovered are reasonable and necessary.

10. Based on my experience with similar litigation, it is my opinion that the sum of \$1,800.00 is reasonable amount for the services rendered, but certainly the lesser amount of \$1,000.00 requested in the Motion is reasonable for the services rendered.

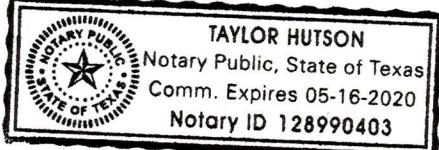
FURTHER THE AFFIANT SAYETH NOT.



Jacob B. Kring

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned notary public, on the 20<sup>th</sup> day of December 2017.

[SEAL]



Taylor Hutson

Notary Public in and for the State of Texas